

1 to see what I was doing. But he never said, hey,  
2 Andrew, so and so said they didn't get their break.  
3 You know what I mean?

4 Q. Okay. And did Renil ever suggest to you a  
5 better what way of doing things? Was there anything  
6 like that?

7 A. No, because -- no, because Renil knew how the  
8 operation was as well. Him being a general manager,  
9 he's been in that position knowing how the schedules  
10 work as well. He sees that.

11 Q. Okay. And Renil thought that you were  
12 providing the breaks properly?

13 A. Yeah.

14 MR. URIARTE: Okay. Let me show you Exhibit 8.

15 VIDEO OPERATOR: Okay. I will bring that up  
16 shortly.

17 MR. URIARTE: Okay.

18 (Plaintiff's Exhibit 8 marked for  
19 identification.)

20 MR. URIARTE: Are you doing a screen share on  
21 that, David?

22 THE WITNESS: I see it now.

23 MR. URIARTE: Great. Okay. Do you know what  
24 Exhibit 8 is? I'll give you some time to take a look  
25 at that. Do you see that at all?

1 depends on how long you're waiting for that fuel to be  
2 done, you're waiting for that mechanic to be done. And  
3 then, you know, we always serve out a break. You know  
4 what I mean? They'd get their breaks.

5 Q. Right. But sometimes they'd just be --

6 A. It just depends on how the flights are coming  
7 in and stuff like that, you know. That's how -- how we  
8 ran it, you know, and that's how I was trained as well.  
9 You just -- and also, like I said, sometimes you're  
10 short manpower and sometimes you fuel longer a little  
11 bit and then get your break. It just depends, like I  
12 said, on the schedule.

13 Q. I see. What about this item here with regards  
14 to "Andrew Dodge lack of experience about fueling"?  
15 What do you think about that?

16 A. To be honest, that's just -- I don't know -- I  
17 don't know what word he used for that, but I became a  
18 supervisor because I know what I was doing. I was  
19 trained on everything. I was actually -- at the time,  
20 before Menzies bought us, I was considered a Class A  
21 fueler, which is one of the top fuelers. Like, having  
22 that title is really high, meaning I know how to do  
23 everything, from fueling, defueling, driving every  
24 piece of equipment on the thing, knowing how to fix  
25 equipment. It's just the knowledge of fueling in

1       general, safety.   I was, like, one of the top people.

2           Q.   Okay.   Aside from this petition, did you have  
3       fuelers go up to you and complain to you about their  
4       breaks, like maybe they're late, maybe they're short,  
5       or anything like that?

6           Was that something that was happening in or  
7       around August of 2018?

8           A.   I actually had people asking me, Hey, when am  
9       I going to get my break?   And, you know, they'll come  
10      up to me, ask me what's going on, or can I see what  
11      you're planning, and I always talk to my fuelers.  
12      That's the main thing about the job, is communication,  
13      communication, talking and finding out, you know,  
14      plans, planning things out.

15          Q.   So why do you think these fuelers, you know,  
16      all 26 of them, signed a petition against you?   Why  
17      would that happen?

18          A.   Honestly, I don't know -- actually, a lot of  
19      these names on here that I see people call me saying  
20      that, you know, they were forced to sign a petition.  
21      And they would tell me, Hey, I didn't want to sign it,  
22      you know, but they were forced to sign it, or they  
23      didn't read it, or stuff like that.

24          Q.   I see.   And they were forced to sign the  
25      petition.   Like, do you know by whom and why they were



1 forced to sign the petition?

2 A. A lot of the guys -- a lot of the guys on the  
3 list would call me and say Ray was telling them to sign  
4 the paper to try to get me terminated or -- how do you  
5 say -- demoted from being a supervisor.

6 Q. Gotcha. And then do you know who Rafael  
7 Vasquez is?

8 A. Yeah. At the time, he was one -- a fueler and  
9 a union representative.

10 Q. Okay. Did you know that it was actually  
11 Rafael Vasquez who put together the petition?

12 MR. WU: Objection. Assumes facts not in  
13 evidence.

14 MR. URIARTE: Q. Did you know that, Mr. Dodge?

15 A. No, I did not.

16 MR. URIARTE: Let's go ahead and put up Exhibit  
17 10.

18 (Plaintiff's Exhibit 10 marked for  
19 identification.)

20 MR. URIARTE: Q. So here we go. So this one will  
21 be Exhibit 10. And as you see, it's signed by Rafael  
22 Vasquez. I think there's a date in the bottom there of  
23 November 18, 2018, when he signed this statement.

24 So did you have problems with Rafael Vasquez  
25 at all in or around August or November of 2018? Were



1       you having problems with him, Mr. Dodge?

2           A.   Rafael didn't work with me on my side of the  
3       airport.

4           Q.   Oh, I see.   I see.   So he's on another side of  
5       the airport?

6           A.   Yes.

7           Q.   Gotcha.   Okay.   So it looks like, from this  
8       statement that he signed, that says that he was asked  
9       by Menzies Aviation fuelers to write a petition on  
10      behalf of the fuelers on the 130 side.

11           Did you know that they -- that these fuelers  
12      submitted two petitions?   Did you know that?

13           A.   No, I did not.

14           Q.   Okay.   So, based on your responses, is it fair  
15      to say that nobody from Menzies Aviation ever sat you  
16      down to discuss one or two petitions that were written  
17      out against you at that time while it was happening?

18           A.   No.   I'm the one that brought it up to Renil,  
19      saying that there was a petition going around, because  
20      one of the fuelers had called me about it.

21           Q.   So you knew that a petition was going around,  
22      but nobody from Menzies Aviation management ever kind  
23      of, like, sat down with you or talked to you about it,  
24      right?   Is that correct?

25           A.   No, I don't -- I never, no.

1 Q. And you found out that there was a petition  
2 going around against you, but you never read the actual  
3 petition. Is that how it was?

4 A. Yeah, I never got to see it, no.

5 Q. And you're saying that the first time you saw  
6 it was actually a part of this litigation. Is that  
7 what you're saying?

8 A. Yes.

9 MR. URIARTE: Let's put up Exhibit 5, please.

10 VIDEO OPERATOR: Okay. Coming up shortly.

11 MR. URIARTE: Thank you.

12 (Plaintiff's Exhibit 5 marked for  
13 identification.)

14 MR. URIARTE: It's not a very good copy, so I  
15 guess Exhibit 5, Mr. Dodge, if we can just make it  
16 smaller so he sees the whole thing. There you go.

17 A. Yeah.

18 Q. Is this the letter that you wrote after you  
19 found out that a petition was being turned in against  
20 you?

21 A. I can't read what I wrote, but I think this is  
22 the one I wrote after I found out there was a petition.  
23 One of the fuelers called me.

24 Q. Correct. Correct. If you go to the bottom of  
25 it, I think this is your signature, right?

1 A. Yeah.

2 Q. That one there?

3 A. Yes.

4 Q. Okay. And did you have a meeting with Menzies  
5 management about this letter at all?

6 A. I do not recall -- I don't remember from when  
7 I wrote it. I think I wrote it during my shift, and I  
8 turned it in or -- I either wrote it in the office with  
9 Raul at the time or -- I just don't remember.

10 Q. I see. I see. So it's possible that you  
11 wrote it with the assistance of Raul. Is that what  
12 you're saying?

13 A. Yeah, it was Raul or Renil that told me to  
14 write -- write a statement.

15 Q. And why did they tell you to write a  
16 statement? Do you know?

17 A. Just to have it on file that they were going  
18 to look into it.

19 Q. Okay. But how did that meeting start? Was  
20 that -- like, why did you kind of arrive at that  
21 meeting?

22 A. Like, why did I -- are you saying, like, why  
23 did I write it or --

24 Q. No. Well, you said that you had a meeting  
25 with Raul or Renil --



1           A.   It wasn't a meeting.   It was more like a --  
2   like you walk in, let them know, hey, this is what's  
3   going on on the operation.   Like, here's -- like this  
4   is what people are telling me.

5           Q.   Okay.

6           A.   And they tell you, hey, just write statement  
7   down and --

8           Q.   Okay.   Okay.   So it started with a fueler  
9   calling you and saying, Hey, there's a petition going  
10   around against you.   Is that how it started?

11          A.   Yes.

12          Q.   Okay.   And then, with that information, you  
13   then go to Renil or Raul.   We don't know, right?   Renil  
14   or Raul or both of them?

15          A.   Yeah, it was either/or.   Yeah, it was  
16   either/or.

17          Q.   So you went to either one of them to tell them  
18   that?   What exactly did you tell them?

19          A.   "Oh, hey, I got a phone call from a couple of  
20   fuelers on my personal cell at home saying that  
21   they" -- "there was a petition going around against me  
22   that they didn't want to sign, but they felt forced to  
23   sign it."

24               And then when I told them that -- I don't  
25   remember if it was Renil or Raul -- they just told me

1 to write a statement down and to turn it in to them and  
2 that they would look into it.

3 Q. All right. And then when you say -- how much  
4 help did you get from Renil or Raul with regards to  
5 writing the statement? Like, did you guys --

6 A. I don't know what -- like, from there on, I  
7 don't know what they -- how they did their  
8 investigation or anything like that. So I just went on  
9 and kept doing my job.

10 Q. I see. But with regards to writing the  
11 statement, are these words totally yours?

12 Like, you sat there and started --

13 A. Yeah, I went to a different office and wrote  
14 this statement.

15 Q. I see. I see. Okay. And then you turned it  
16 in?

17 A. Yes.

18 Q. Would it be not accurate to say that they  
19 helped you with the words that are in this statement?

20 A. Those are all me. No, they didn't help me  
21 with wording at all.

22 Q. All right. But when they said -- when they  
23 told you to write this statement, did they tell you  
24 what to write about?

25 A. No. They just said write -- like, write

1 what's going on, like, why -- you know, what you heard.  
2 Stuff like that.

3 MR. URIARTE: All right. So we're done with  
4 Exhibit 8. I need like a five-minute break. Let's see  
5 where we are. Let's take a five-minute break. Off the  
6 record.

7 MR. WU: That's fine. Thank you.

8 (Brief recess.)

9 MR. URIARTE: Let's go back on the record. We  
10 don't have much more, but let me go through a couple  
11 more here.

12 Q. Mr. Dodge, you said that a fueler had called  
13 you that a petition was going around. Do you remember  
14 who that fueler was?

15 A. Yeah, Mario Caballero -- Caballero. Mario  
16 Caballero.

17 Q. And you said that he felt like he was forced  
18 to sign the petition or he didn't understand the  
19 petition. Is that what he said?

20 A. When I -- when I received a phone call from  
21 him, his first words, "Hey, Andrew, just want to let  
22 you know there's a petition going around. I didn't  
23 want to sign it, but he made me sign it. I'm just  
24 letting you know. I don't want to get into trouble or  
25 anything."



1                   And then -- and I said -- told him thank you,  
2                   and I would -- I said, "Thank you, and I will," you  
3                   know, "talk to management."

4                   Q.   Okay.   And when you say "he made me sign it,"  
5                   who's "he"?

6                   A.   He mentioned Ray Navarro.

7                   Q.   Okay.   And, then, let's go back to Exhibit 10,  
8                   please.

9                   VIDEO OPERATOR:   Hold on.   I'll bring it up.

10                  MR. URIARTE:   Thank you.

11                  THE WITNESS:   Okay.

12                  MR. URIARTE:   Q.   So I wanted to discuss something  
13                  here.   It says, "There have been two separate Petitions  
14                  turned into Menzies Aviation Fueling Department  
15                  Director Raul Vargas."   Do you see that?

16                  A.   Yes.

17                  Q.   Okay.   Did Raul Vargas ever talk to you about  
18                  these two petitions?

19                  A.   Sorry, can you repeat that one more time.   You  
20                  broke up.

21                  Q.   Sure.   Did Raul Vargas ever talk to you about  
22                  two petitions being signed against you?

23                  A.   No, he did not.

24                  Q.   Did Raul Vargas ever talk to you about how you  
25                  give your breaks, and fuelers complaining against you,

1 or anything like that?

2 A. No, he did not.

3 Q. Did anybody from Menzies, you know, from John  
4 Qually, the duty mangers, or Renil Lal at that time,  
5 did any one of them kind of, like, talk to you about  
6 maybe, you know, you giving your breaks better or  
7 having some sort of plan of action?

8 A. Like I said before, Renil and I spoke, but he  
9 just wanted -- he reviews my schedules. I used to turn  
10 in -- we'd turn, like, you know, a shift report in  
11 every night.

12 Q. Okay.

13 A. And, also, I would turn in my schedules to him  
14 so he would see everything written down, so -- from  
15 what I did. So, basically, for example, with let's say  
16 fueler A, I'd write down his flights, and in the middle  
17 I'll put a "B," stands for break, and what else he did.  
18 You know what I mean? And then I also -- he could  
19 research the times, you know, because -- with the phone  
20 app or online.

21 Q. Okay. And you went through -- you went  
22 through meetings with Renil Lal about that in around  
23 August of 2018?

24 A. I -- I don't remember the time or date, any of  
25 that.

1 Q. Did Mr. Lal ever tell you that he was doing  
2 that as part of, you know, investigating these  
3 petitions against you?

4 A. No. He one time mentioned that Ray was  
5 complaining, so he just wanted to see what I did  
6 compared -- you know, compared to other supervisors and  
7 how they were doing their schedules.

8 Q. I see. And -- okay. And out of those  
9 meetings, was any kind of -- was there any  
10 recommendation given to you as to, like, do your job  
11 better, or was there any comment or anything like that?

12 A. I don't recall what he said to me at all.

13 Q. Did you have to change the way you were doing  
14 things in order to give your breaks better or something  
15 like that?

16 A. No. Up until March, I was doing the same way.

17 Q. And you're saying up until March of 2020?

18 A. Yeah, until I got furloughed, yes.

19 Q. Okay. Also in Exhibit 10, it says, "I have  
20 spoken to The Menzies Aviation Fueling Director Raul  
21 Vargas on three separate occasions regarding Mr. Dodge,  
22 who continues to abuse his authority and at times  
23 harass Fuelers under his charge."

24 Do you see that?

25 A. Yes, I do see that. Yeah.



1 Q. What do you think -- what's your opinion on  
2 that with regard to Rafael Vargas stating that you  
3 continue to abuse your authority?

4 Do you know anything about that?

5 A. I mean --

6 MR. WU: Objection. Assumes facts not in  
7 evidence.

8 But you can answer.

9 MR. URIARTE: Q. Mr. Dodge?

10 A. Sorry. Okay. I -- I mean, from when I see  
11 that, I can tell you that's just not true. I mean,  
12 I've never harassed any of my employees or any of that  
13 type of circumstance.

14 Q. I see. When you say -- when it says "abuse  
15 his authority," like how would you be able to abuse  
16 your authority during your shifts?

17 A. Honestly, I don't know how I could abuse my  
18 authority to this current day. I'm still a supervisor  
19 here --

20 Q. I see.

21 A. -- with the same employees.

22 Q. I'm sorry. What was that?

23 A. I said I'm still a supervisor here with the  
24 same employees.

25 Q. Okay. And have any fuelers gotten a complaint

1       against you that you were harassing them?

2           A.   No.

3           Q.   Have any of the fuelers ever come up to you  
4       and said, hey, Andrew, you know, you're doing this  
5       wrong, or, you know, complained to you about not giving  
6       their breaks, or them working too hard because you're  
7       not doing your job?   Anything along those lines?

8           A.   I've had fuelers just come up to me and try  
9       to, like, give suggestions on how they want to -- how  
10      they see things -- on how they see things, but, you  
11      know -- and then I have to explain to them what's going  
12      on, and I'd show them, and they would understand.  
13      That's about it.

14                But I've never had -- I've had someone coming  
15      up to me asking when they would get their break, and I  
16      would explain to them as well, you know, the situation,  
17      and they would understand.

18           Q.   I see.   All right.   Can we go back to Exhibit  
19      5, please.   Okay.   I know it's hard to read, but I was  
20      going to start with -- well, that first sentence kind  
21      of ends with "the company don't need me, that I'm a bad  
22      supervisor, and all I do is cause delays."

23                What do you mean by that, "all I do is cause  
24      delays"?

25           MR. WU:   Objection.   Objection.   Assumes facts not

1 Q. Oh, okay. So he told Ray not to come early  
2 anymore. Do you see that?

3 A. Okay, yeah. That's a -- yeah, yeah.

4 Q. So that would be Jeff Cook or --

5 A. No, that's Jeff -- I don't remember his last  
6 name. I can get his last name for you, but I just  
7 don't remember his last name.

8 Q. And that Jeff -- that Jeff, you said, works  
9 for Menzies in Seattle International?

10 A. Yeah, that's his main station, yes.

11 Q. I see. So how come he would get involved in  
12 telling Ray not to come in early?

13 A. So the reason -- we were going through a  
14 transition, you know, from ASIG to Menzies. At the  
15 time, Renil was the acting general manager. Raul  
16 Vargas was the director -- new director we had, so they  
17 were getting things together. So Jeff would come down  
18 and help our station.

19 MR. URIARTE: Gotcha. Okay. I have no further  
20 questions.

21 MR. WU: No questions on my end either.

22 MR. URIARTE: Okay. Thank you, Mr. Dodge. Thank  
23 you for your time today. Thank you for providing this  
24 deposition.

25 THE WITNESS: You're welcome.



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(Whereupon, the deposition  
concluded at 10:32 o'clock a.m.)

---o0o---

CERTIFICATE OF WITNESS

---o0o---

I, ANDREW DODGE, hereby declare under  
penalty of perjury that I have read the foregoing  
deposition testimony; and that the same is a true  
and correct transcription of my said testimony  
except as corrected pursuant to my rights under  
Rule 30(e) of the Federal Rules of Civil  
Procedure.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

1 STATE OF CALIFORNIA )  
2 )  
3 COUNTY OF SAN FRANCISCO )

4 I, CINDY TUGAW, a Certified Shorthand Reporter  
5 of the State of California, duly authorized to  
6 administer oaths pursuant to Section 8211 of the  
7 California Code of Civil Procedure, do hereby certify  
8 that

9 ANDREW DODGE,  
10 the witness in the foregoing deposition, was by me duly  
11 sworn to testify the truth, the whole truth and nothing  
12 but the truth in the within-entitled cause; that said  
13 testimony of said witness was reported by me, a  
14 disinterested person, and was thereafter transcribed  
15 under my direction into typewriting and is a true and  
16 correct transcription of said proceedings.

17 I further certify that I am not of counsel or  
18 attorney for either or any of the parties in the  
19 foregoing deposition and caption named, nor in any way  
20 interested in the outcome of the cause named in said  
21 caption.

22 Dated the 7th day of August, 2020.

23 

24 CINDY TUGAW  
25 CSR No. 4805 (California)



1 Andrew Dodge  
2 c/o Foley & Lardner  
3 555 California Street, Suite 1700  
4 San Francisco, CA 94104  
5 Attn: Jason Y. Wu, Esq.

6 Date: August 7th, 2020  
7 Re: Navarro vs. Menzies Aviation  
8 Deposition Date: Tuesday, July 28, 2020

9 Dear Mr. Dodge,

10 Please be advised the original transcript of  
11 your deposition is ready for your review.

12 Pursuant to FRCP Rule 30(e), you have  
13 30 days following the date of this notice to read,  
14 correct if necessary, and sign your transcript unless  
15 the attending parties and the deponent agree on the  
16 record or otherwise in writing to a longer or shorter  
17 time period. The deponent may change the form or the  
18 substance of the answer to a question, and may either  
19 approve the transcript of the deposition by signing it,  
20 or refuse to approve the transcript by not signing it.  
21 You are not required by law to read and sign your  
22 deposition transcript. All parties will be informed of  
23 the corrections. The original transcript will then be  
24 sealed and sent to the examining attorney pursuant to  
25 the applicable law.

You may either come to our office to read and  
sign the original transcript, or you may contact your  
attorney or the attorney who arranged for you to be  
present at your deposition. If they have ordered a  
copy of the transcript, you may review their copy and  
make corrections by submitting, signing and returning  
the attached form. If you choose to review your  
transcript at our office, please call first to make an  
appointment. Should you have any question regarding  
these instructions, please call.

Sincerely,

NOGARA REPORTING SERVICE  
5 Third Street, Suite 415  
San Francisco, California 94103  
(415) 398-1889  
cc: All counsel, original deposition